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 STATEMENT BY APPLICANT**

Date Submitted: April 21, 2009

(use as many sheets as necessary)

Complete if Known

Application Number	09/825,989
Patent Number	7,303,770
Filing Date	April 5, 2001
First Named Inventor	Jed W. Fahey
Art Unit	1614
Examiner Name	FF KRASS

Sheet 1 of 1

Attorney Docket Number 037677-0256

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

UNPUBLISHED U.S. PATENT APPLICATION DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Application Document Serial Number-Kind Code ² (if known)	Filing Date of Cited Document MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ - Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Documents	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	B1	Copy of Defendant's Amended Preliminary Invalidity Contentions filed in the U.S. District Court Southern District of New York in the case of Brassica Protection Products LLC (plaintiff) vs. Caudill Seed & Warehouse Co., Inc. (defendant), filed March 3, 2008. (51 pgs.)	

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